8:20



In the Matter of Chad Costello, Social Worker 1, (S1046R), Statewide

CSC Docket No. 2015-335

STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

Examination Appeal

ISSUED:

SEP 0 5 2014 (SLK)

Chad Costello appeals the denial of his request for a make-up for the open-competitive examination for Social Worker 1, (S1046R), Statewide.

By way of background, 104 applicants applied for the subject examination and 40 were deemed eligible. The examination was administered on June 19, 2014. Mr. Costello was unable to take the subject examination due to a medical condition. The Division of Selection Services (Selection Services) denied Mr. Costello's request for a make-up examination because his doctor's statement did not indicate a medical diagnosis and why he was unable to take the examination on the original test date.

In his petition to the Commission, Mr. Costello states that the only reason he missed the subject examination was that he was too sick to drive and sit in a desk for any amount of time in order to complete an exam as he had Lyme's disease during the time that the subject examination was scheduled. He had initially submitted a doctor's note that said he should be excused from work for medical reasons from June 18, 2014 to June 23, 2014. He now submits a second note from the same doctor that states that he was unable to take his test on June 19, 2014 due to medical illness. Therefore, he is requesting to be able to sit for a make-up examination.

CONCLUSION

N.J.A.C. 4A:4-2.9(a) provides that make-up examinations, except for professional level engineering promotional examinations and public safety open

competitive and promotional examinations, may be authorized for the following reasons:

- 1. Error by Civil Service Commission or the appointing authority;
- 2. Serious illness or disability of the candidate on the test date, provided the candidate submits a doctor's certificate specifying that the candidate was not able to take the test on that day for medical reasons;
- 3. Documented serious illness or death in the candidate's immediate family;
- 4. Natural disaster;
- Prior vacation or travel plans outside of New Jersey or any contiguous state, which cannot be reasonably changed, as evidenced by a sworn statement and relevant documentation; and
- 6. Other valid reasons.

In the present matter, the record demonstrates that Mr. Costello has presented a valid reason for a make-up exam under N.J.A.C. 4A:4-2.9(a)2. Mr. Costello initially submitted a doctor's note, dated June 18, 2014, that stated that he should be excused from work between June 18, 2014 to June 23, 2014 for medical reasons. Then, he submitted a second note from the same doctor dated July 19, 2014 specifying that he was unable to participate in the examination on June 19, 2014 due to his medical illness. This documentation is sufficient to satisfy the requirements of N.J.A.C. 4A:4-2.9(a)2. This is specific enough to indicate why he could not take the exam on the date it was administered. As such, Mr. Costello has provided a valid reason as to why he could not take the examination. Therefore, it is appropriate to grant a make-up examination in this situation.

ORDER

Therefore, it is ordered that this request be granted. Mr. Costello should be scheduled for the Social Worker 1 examination as soon as possible and, if he achieves a passing score, his name should be added to the subject list for prospective employment opportunities only.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE CIVIL SERVICE COMMISSION

ON THE 3rd DAY OF SEPTEMBER, 2014

Robert M. Czech Chairperson

Civil Service Commission

Inquiries and

Correspondence

Henry Maurer
Director
Division of Appeals
and Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
P.O. Box 312
Trenton, New Jersey 08625-0312

c. Chad Costello
Dan Hill
Joseph Gambino

			1